

4143. Misbranding of "Brown's '935' Injection (formerly H. W.). U. S. v. The Doctor Brown Co. Plea of guilty. Fine, \$75. (F. & D. No. 6157. I. S. No. 9357-e.)

On June 21, 1915, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Doctor Brown Co., a corporation, doing business at Philadelphia, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about March 10, 1913, from the State of Pennsylvania into the State of Colorado, of a quantity of "Brown's '935' Injection (formerly H. W.)" which was misbranded. The article was labeled: (On bottle) "Brown's '935' Injection Invaluable as a Preventative and in the Treatment of Chronic Gonorrhœa, Gleet, Whites, Etc. Directions Use as an injection three times a day Brown's Capsules should be used with this in order to thoroughly drive the disease out of the system. Their use will bring quicker results. If the bowels are costive, use Hope's Vegetable Liver Pills. For male and female Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 4223. Will not cause stricture and does not stain The Doctor Brown Company sole manufacturer Philadelphia, Pa." (On carton) "Brown's '935' Injection (formerly H. W.) Invaluable as a Preventive and in the Treatment of Chronic Gonorrhœa, Gleet, Whites, Etc. Directions Use as an injection three times a day Brown's Capsules should be used with this in order to thoroughly drive the disease out of the system. Their use will bring quicker results. If the bowels are costive use Hummell's Vegetable Liver Pills. Guaranteed by the Doctor Brown Company under the Food and Drugs Act, June 30, 1906. Serial No. 4223. The Doctor Brown Company Sole Manufacturer, Philadelphia, Pa. Price \$1.00 Brown's '935' Injection is for Males For Females, use Dr. Brown's Alkaline Antiseptic Powder Brown's Blood Treatment Should be used after all cases of acute or chronic Gonorrhœa to clean the blood of impurities and put the system in healthy condition. Price ---\$2.00 a bottle; six bottles for \$10.00. Manufactured by The Doctor Brown Company 935 Arch St., Philadelphia, Pa. Will not cause stricture, and does not stain." The circulars or pamphlets accompanying the article contained, among other things, the following statements: "A Preventive and a Certain and Speedy Remedy for Chronic Gonorrhœa, Gleet, Whites, Etc." "Hemorrhoids, (or Piles)—Dr. Brown's '935' Injection, used with a syring in every condition of Hemorrhoids or Piles, it will bring immediate relief, causing the congested blood to flow out of the parts, and the mucous membrane will immediately yield to the astringent and antiseptic properties of this remedy. About 1/2 ounce of this solution should be injected into the rectum after each movement of the bowels and only upon retiring. Other hygienic conditions at the same time should be followed out."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the substance to be a dilute solution of acetate and sulphate of zinc.

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, included in the circulars or pamphlets aforesaid, to wit, "A Preventive \*\*\* for \*\*\* Gonorrhœa. \*\*\*." "Hemorrhoids, (or Piles)—Dr. Brown's '935' Injection, used with a syring in every condition of Hemorrhoids or Piles, it will bring immediate relief, causing the congested blood to flow out of the parts, and the mucous membrane will immediately yield to the astringent and antiseptic properties of this remedy. \*\*\*," were false and fraudulent in that, by means of the said circulars or pamphlets, they were applied to said article knowingly and in reckless and wanton disregard of their truth or falsity so

as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was in whole or in part composed of, or contained, ingredients or medicinal agents effective, among other things, for the prevention of gonorrhœa, and effective for the immediate relief of, and as a remedy in every condition of, hemorrhoids or piles; when, in truth and in fact, said article was not in whole or in part composed of, and did not contain, ingredients or medicinal agents effective, among other things, for the prevention of gonorrhœa, or effective for the relief of, or as a remedy in every condition of, hemorrhoids or piles.

On June 23, 1915, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$75.

CARL VROOMAN, *Acting Secretary of Agriculture.*